

REMARKS

Examiner has objected to the title as not descriptive or indicative of the invention to which the claims are directed. Applicant hereby amends the title to read "Method and Apparatus for Capturing an Image", and has amended pages 1 and 13 of the specification accordingly.

Examiner has objected to claim 13 as having insufficient antecedent basis for the term "said second electromechanical activator". Applicant has amended the claim to provide a proper antecedent basis.

Examiner has rejected claims 1, 2, and 4 under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent No. 6,435,969 to Tanaka et al. ("Tanaka"). Tanaka discloses a portable game device that uses game cartridges. The game cartridge includes apparatus to capture an image, to manipulate the image in association with the game device, and to incorporate the image into the game being played. See col. 1, lines 16-24. The details of Tanaka's device can be perceived from FIG. 1 (where a camera portion 30 is associated with the portable game device, itself), FIG. 9 (where the camera portion 30 is associated with the cartridge 40A), FIG. 8 (which, in exploded view, shows the inner physical details of the cartridge), FIG. 13 (which is an electrical block diagram of the device), and the text associated with these figures. It is important to note that Tanaka does not disclose an element equivalent to Applicant's claimed "external computer interface". Tanaka shows an I/O Interface 52 in FIG. 13, but this is an internal only interface; an interface that is coupled between the game device internal CPU 51 and a display drive circuit 55, operating switches 23-25, an external ROM 45, and a format converting processor 56 (the last two elements being disposed in a removable cartridge portion). Col. 11, lines 3-14. Also, the camera (in one version at least) is disposed in the cartridge, coupled to the format converting processor 56, and removable from the game device. Since Applicant's image capturing device requires an optoelectric transducer, image processor, microprocessor, memory, user interface, and display to be within a housing, the *external* computer interface obviously cannot interface with internal elements. Thus, Tanaka's I/O (which interfaces only with items similar to Applicant's internal elements)

does not anticipate an *external* computer interface, as Applicant has claimed. Moreover, as now claimed in the amended and independent claim 2, this external computer interface is more clearly distinguishable from an internal I/O, in that it is clearly to couple to an external computer not merely to an internal CPU. Accordingly, Applicant believes the amended claim 2 is not anticipated by Tanaka.

Claim 4 has been cancelled and its limitations incorporated into amended claim 5. Therefore Applicant believes the rejection to be moot.

Examiner has rejected claim 3 under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of U.S. Patent No. 6,530,838 to Ha et al. ("Ha"). Claim 3 is dependent upon a believed allowable independent claim 2, and therefore Applicant believes claim 3 to be allowable.

Examiner has objected to claims 5-9 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicant has amended claim 5 to be independent and to include all of the limitations of independent claim 4, its base claim. Claim 4 has been cancelled.

Examiner has stated that claims 10-16 are allowed.

Therefore, in view of the foregoing amendment and remarks, Applicant believes the present Application for patent to now be suitable for allowance. Examiner is respectfully requested to withdraw the objections and rejections of the present application and pass the amended application to allowance.

HEWLETT-PACKARD COMPANY
Legal Department

I hereby certify that this correspondence is being
Deposited with the United States Postal Service as
First Class Mail in an envelope addressed to:
Commissioner For Patents, P.O. Box 1450
Alexandria, VA 22313-1450.

Date of Deposit: 5/13/05
Typed Name: Raymond A. Jensi
Telephone No.: (541) 715-8441

Signature: Raymond A. Jensi

Respectfully Submitted,
Pieter J. van Zee

By: Raymond A. Jensi
Raymond A. Jensi,
Attorney for Applicant(s)
Reg. No. 31,267